



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JPW

Applicant: G. Ma et al.

Title: DIE-IN HEAT SPREADER MICROELECTRONIC PACKAGE

Docket No.: 884.804US2

Serial No.: 10/774,952

Filed: February 9, 2004

Due Date: May 19, 2005

Examiner: Jose Diaz

Group Art Unit: 2815

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

☒ Response to Restriction Requirement (2 pgs.)

☒ A return postcard.

If not provided in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
Customer Number 21186

By: Ann M. McCrackin
Atty: Ann M. McCrackin
Reg. No. 42,858

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 19 day of May, 2005.

Zhakalovsky M. Cannon
Name

Zhakalovsky Cannon
Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
(GENERAL)



SN 10/774,952

PATENT

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Serial No.:	10/774,952	Group Art Unit:	2815
Filed:	February 9, 2004	Docket:	884.804US2
Title:	DIE-IN HEAT SPREADER MICROELECTRONIC PACKAGE		
Assignee:	Intel Corporation	Customer No:	21186

RESPONSE TO RESTRICTION REQUIREMENT UNDER 37 C.F.R. § 1.142

Commissioner for Patents
P.O. Box 1450
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In response to the Election of Species Restriction Requirement mailed April 19, 2005, Applicants hereby elect with traverse, Species I (a heat spreader having recesses comprising vertical recess sidewalls as shown in Fig. 1-15). Claims 1-6, 8-15, 23-28, and 30-33 are readable on Species I.

Traversal of this restriction is based upon what Applicant considers unclear and incorrect criteria regarding the species delineated by the examiner. The original restriction cited to class 257, subclass 666+, which includes LEAD FRAME (427/666), and which progresses to subclass 427/677. In none of these subclasses can Applicant's counsel find taxonomy for vertical recess walls, sloped recess walls, or planar heat spreader.

There are two criteria for imposing a restriction requirement. Criteria for restriction between patentably distinct inventions include "(A) The inventions must be independent; and (B) There must be a serious burden on the examiner if restriction is required" (M.P.E.P. § 803).

Applicant considers the imposition of an Election of Species, without indicating where in the classification of the claims, the examiner has found the claims to include patentably distinct inventions. Accordingly, without a showing of patentably distinct inventions, Applicant respectfully asserts that there is no serious burden to examine previously elected claims 1-13 and 23-33 that have not been indicated by the Office to be found in different subclasses within the classification system of the United States Patent and Trademark Office. Withdrawal of the restriction requirement is respectfully requested.

RESPONSE TO RESTRICTION REQUIREMENT

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Assignee: Intel Corporation

Page 2

Dkt: 884.804US2

The Examiner is invited to telephone Applicant's attorney, John Greaves at (801) 278-9171, or Applicant's below-named representative to facilitate the prosecution of this application. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

QING MA ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
Attorneys for Intel Corporation
P.O. Box 2938
Minneapolis, Minnesota 55402
(612) 349-9592

Date

May 19, 2005

By

Ann M. McCrackin

Ann M McCrackin

Reg. No. 42,858

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 19 day of May, 2005.

Name

Zhakalazky M. Carrion

Signature

Zhakalazky Carrion